



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0723

Introduced 02/01/05, by Rep. Kurt M. Granberg

SYNOPSIS AS INTRODUCED:

70 ILCS 410/5

from Ch. 96 1/2, par. 7105

Amends the River Conservancy Districts Act. In the case of a 7-member board representing a district that embraces Franklin and Jefferson counties, provides that the terms of all trustees in office on June 30, 2006 end on July 1, 2006. Provides for the appointment of new trustees.

LRB094 07754 MKM 37932 b

1 AN ACT concerning conservation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Conservation District Act is amended by
5 changing Section 5 as follows:

6 (70 ILCS 410/5) (from Ch. 96 1/2, par. 7105)

7 Sec. 5. Board of trustees.

8 (a) The affairs of a conservation district shall be managed
9 by a board which shall consist of 5 trustees, except as
10 otherwise provided in this Section. If the boundaries of the
11 district are coextensive with the boundaries of one county, the
12 trustees shall be residents of that county. If the district
13 embraces 2 counties, 3 trustees shall be residents of the
14 county with the larger population and 2 trustees shall be
15 residents of the other county. If the district embraces 3
16 counties, one trustee shall be a resident of the county with
17 the smallest population and each of the other counties shall
18 have 2 resident trustees. If the district embraces 4 counties,
19 2 trustees shall be residents of the county with the largest
20 population and each of the other counties shall have one
21 resident trustee. If the district embraces 5 counties, each
22 county shall have one resident trustee.

23 (b) A district that is entirely within a county of under
24 300,000 inhabitants and contiguous to a county of more than
25 2,000,000 inhabitants and that is authorized by referendum as
26 provided in subsection (d) of Section 15 to incur indebtedness
27 over 0.575% but not to exceed 1.725% shall have a board
28 consisting of 7 trustees, all of whom shall be residents of the
29 county. The additional 2 trustees shall be appointed by the
30 chairman of the county board, with the consent of the county
31 board, and shall hold office for terms expiring on June 30 as
32 follows: one trustee after 4 years and one trustee after 5

1 years from the date of the referendum. Successor trustees shall
2 be appointed in the same manner no later than June 1 before the
3 commencement of the term of the trustee.

4 (c) Trustees shall be qualified voters of such district who
5 do not hold any other public office and are not officers of any
6 political party. Trustees, if nominated by the county board
7 chairman as hereinafter provided, shall be selected on the
8 basis of their demonstrated interest in the purpose of
9 conservation districts.

10 (d) The chairman of the county board for the county of
11 which the trustee is a resident shall, with the consent of the
12 county board of that county, appoint the first trustees who
13 shall hold office for terms expiring on June 30 after one, 2,
14 3, 4, and 5 year periods respectively as determined and fixed
15 by lot. Thereafter, successor trustees shall be appointed in
16 the same manner no later than June 1 prior to the commencement
17 of term of the trustee.

18 (e) Each successor trustee shall serve for a term of 5
19 years. A vacancy occurring otherwise than by expiration of term
20 shall be filled for the unexpired term by appointment of a
21 trustee by the county board chairman of the county of which the
22 trustee shall be a resident, with the approval of the county
23 board of that county. A trustee who has served a full term of 5
24 years is ineligible to serve as a trustee for a period of one
25 year following the expiration of his term. When any trustee
26 during his term of office shall cease to be a bona fide
27 resident of the district he is disqualified as a trustee and
28 his office becomes vacant.

29 (f) Trustees shall serve without compensation, but may be
30 paid their actual and necessary expenses incurred in the
31 performance of their official duties.

32 (g) A trustee may be removed for cause by the county board
33 chairman for the county of which the trustee is a resident,
34 with the approval of the county board of that county, but every
35 such removal shall be by a written order, which shall be filed
36 with the county clerk.

1 (h) A conservation district with 5 trustees may determine
2 by majority vote of the board to increase the size of the board
3 to 7 trustees. With respect to a 7-member board, no more than 3
4 members may be residents of any township in a county under
5 township organization or of any congressional township in a
6 county not under township organization. In the case of a
7 7-member board representing a district that embraces 2
8 counties, 4 trustees shall be residents of the county with the
9 larger population and 3 trustees shall be residents of the
10 other county. If the district embraces 3 counties, 2 trustees
11 shall be residents of each of the 2 counties with the smallest
12 population and the largest county shall have 3 resident
13 trustees. If the district embraces 4 counties, one trustee
14 shall be a resident of the county with the smallest population
15 and each of the other counties shall have 2 resident trustees.
16 If the district embraces 5 counties, the 2 counties with the
17 largest population shall each have 2 resident trustees and each
18 of the other counties shall have one resident trustee. The
19 pertinent appointing authorities shall appoint the additional
20 2 trustees to initial terms as equally staggered as possible
21 from the terms of the trustees already appointed from that
22 township or county so that 2 trustees representing the same
23 area shall not be succeeded in the same year.

24 (i) Notwithstanding any other provision of law to the
25 contrary, in the case of a 7-member board representing a
26 district that embraces Franklin and Jefferson counties, the
27 terms of all trustees in office on June 30, 2006 end on July 1,
28 2006. Beginning on July 1, 2006, the board shall consist of 7
29 trustees. The 7 trustees initially appointed pursuant to this
30 amendatory Act of the 94th General Assembly shall be appointed
31 as follows: (i) the county board chairman for the county with
32 the larger population shall appoint, with the consent of the
33 county board of that county, one trustee who shall serve until
34 July 1, 2007, one trustee who shall serve until July 1, 2009,
35 one trustee who shall serve until July 1, 2010, and one trustee
36 who shall serve until July 1, 2011; and (ii) the county board

1 chairman for the other county shall appoint, with the consent
2 of the county board of that county, one trustee who shall serve
3 until July 1, 2008, one trustee who shall serve until July 1,
4 2010, and one trustee who shall serve until July 1, 2011. Upon
5 expiration of the term of a trustee initially appointed under
6 this amendatory Act of the 94th General Assembly, successors
7 shall be appointed for terms of 5 years, beginning on July 1 of
8 the year in which the previous term expires and until their
9 respective successors are appointed and qualified.

10 (Source: P.A. 90-195, eff. 7-24-97; 91-629, eff. 8-19-99.)